

May 8, 1973

saying that they're there to catch the people. Do you feel that I'm right on this?

PRESIDENT: Senator Chambers, do you care to respond?

SENATOR CHAMBERS: May I respond to Senator Keyes by asking him a question? Senator Keyes, what is the effect of a truck being overloaded? What is the effect on the highway?

SENATOR KEYES: It should tear up the highway and make it unsafe to drive on the same way as if a speeder is on the highway, he makes it unsafe for the rest of us to drive.

SENATOR CHAMBERS: Now, here, here's what I'm trying to get to: Is it the manner in which a truck which is overloaded is being driven, or is it the fact that it is overloaded that creates the hazard? In other words, if it's going 20 miles an hour or 60 miles an hour, will it damage the highway?

SENATOR KEYES: Well, we have set up how much, how many pounds a truck should carry, how many tons it should carry. Anything above that does two things; it is unsafe on the highway, we feel, and it is a detriment to the highway, therefore it is a hazard on the road and should be picked up and taken off.

SENATOR CHAMBERS: Now when they find a truck which is overloaded, do they get the individual for negligent driving or for having an overloaded truck?

SENATOR KEYES: They get him for having an overloaded truck and also negligent in knowing how much he has on his truck. He should know and that is why the driver, I believe, is held instead of the owner of the truckline.

SENATOR CHAMBERS: Now I'll give you an answer. I think there is a distinct difference between the enforcement of a speeding law, a speed limit law and having an overloaded truck and to show what I'm trying to get to, they're talking about a fuel crisis now so some are trying to get the Department of Transportation to reduce the speed limit on Federal Highways. If they do that, then the speed limit may be reduced to 65 rather than 75, not because of safety but to conserve fuel so you have to show that there is a direct relationship between the amount of speed a car is moving and safety to others or hazard to others so you have not shown

(End of Belt #5)

(Start of Belt #6)

me that an overloaded truck, the enforcement of that particular provision of the traffic laws, is the same as enforcement of speed regulations which may or may not have something to do with safety.

SENATOR KEYES: Senator Chambers, I think you have tried to evade the question. I'm trying to bring to your light the fact that if a man appears and you know he was there, you are going to obey and do this. If you don't know he is there, you are not going to pay any attention and that is why we have scales that are moveable and that is why we want to be able to go and try to slow these men down because